

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

IN RE:)	
)	
BARBARA COACHMAN,)	
)	
PLAINTIFF,)	
)	
VS.)	CASE NUMBER: 1:07cv155-MHT
)	
MEDICAL DATA SYSTEMS, INC.,)	
d/b/a MEDICAL REVENUE SERVICES,)	
INC.,)	
)	
DEFENDANT.)	

REPORT OF PARTIES' PLANNING MEETING

Pursuant to Fed. R. Civ. P. 26(f), a telephonic conference was conducted on March 13, 2007. The conference attendees included: Cameron A. Metcalf, Esquire, on behalf of the Plaintiff; and Russel A. McGill, Esquire, on behalf of Defendant, Medical Data Systems, Inc, d/b/a Medical Revenue Services, Inc. (hereinafter, "Medical Revenue"). The parties do not request a conference with the Judge before entry of the Scheduling Order.

1. Plaintiff seeks statutory damages, costs and attorney fees for Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. §1692, et seq.
2. Defendant, Medical Revenue, filed an Answer to the Plaintiff's Complaint on March 7, 2007.

3. This jury action should be ready for trial by March 24, 2008, and, at this time, is expected to take approximately two (2) days to try.
4. The parties request a pre-trial conference on or about February 11, 2008.
5. **DISCOVERY PLAN.** The parties jointly propose to the Court the following discovery plan.
 - a) Discovery will be needed on the following subjects:
 - 1) The circumstances and allegations of the Plaintiff's Complaint;
and,
 - 2) Legal defenses of the Defendant.
 - b) All discovery must be commenced in time to be completed by November 30, 2007.
 - c) Maximum of forty (40) interrogatories by each party to any other party. Responses due thirty (30) days after service.
 - d) Maximum of forty (40) requests for production by each party to any other party. Responses due thirty (30) days after service.
 - e) Maximum of forty (40) request for admission by each party to any other party. Responses due thirty (30) days after service.
 - f) Maximum of five (5) depositions by Plaintiff and five (5) depositions by Defendant exclusive of expert depositions, unless extended by agreement. No single deposition may exceed eight (8) hours in length, unless extended by agreement.

- g) Supplementation under Rule 26(e) due within thirty (30) days after the attorney learns of the information requiring said supplementation.
 - h) Either party may move the Court for expansion, extension or delay of discovery for good cause shown (other than as provided in subparagraph c above) and the nonmoving party retains the right to object thereto.
- 6. **INITIAL DISCLOSURES.** The parties will exchange by May 1, 2007, the information required by Fed. R. Civ. P. 26(a)(1).
 - 7. Plaintiff should be allowed until April 18, 2007, to join additional parties and to amend the pleadings. Defendants should be allowed until May 7, 2007, to join additional parties and to amend the pleadings.
 - 8. Reports from retained experts under Rule 26(a)(2) due:
 - a) From Plaintiff by September 3, 2007.
 - b) From Defendants by October 1, 2007.
 - 9. **PRE-TRIAL DISCLOSURES.** Final lists of witnesses and exhibits under Rule 26(a)(3) are due in accordance with any subsequent order of this Court, or pre-trial order.
 - 10. All potentially dispositive motions and supporting briefs should be filed by December 17, 2007, or ten (10) days prior to close of discovery if discovery is subsequently extended. Any briefs or materials in response are due within twenty (20) days after the date of the filing of any dispositive motions.

11. All *in limine* motions should be filed on or about February 25, 2008.
12. Settlement cannot be realistically evaluated prior to May 1, 2007.
13. At the conclusion of this parties' planning meeting, Defendant's counsel, Russel A. McGill, Esquire, granted Plaintiff's counsel, Cameron A. Metcalf, permission to include his electronic signature on this Report of Parties' Planning Meeting in order to facilitate the filing of this document.

Respectfully submitted this 23rd day of March, 2007.

ESPY, METCALF & ESPY, PC

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